

SUMMARY TABLE 2 - MANDATORY SANCTIONS

S T A T E	Mandatory Fine (\$) -- DWI Conviction			Mandatory Imprisonment -- DWI Conviction			Community Service in Lieu of Mandatory Jail			Mandatory Licensing Action - DWI Conviction		
	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd
AL	--	--	--	--	48 CH	60 D	--	20 D	--	S-90 D	R-1 Y	R-3 Y
AK	250	500	1,000	72 CH	20 D	120 D ⁴⁸	--	--	--	R-30 D	R-1 R	R-10 Y
AZ	250	500	--	--	30 CD ¹³	6 M	--	--	--	S-90 D ²⁰	R-1 Y ⁴⁴	R-3 Y
AR	150	400	900	--	7 D	90 D	--	--	--	-- ⁴⁶	-- ⁴⁶	-- ⁴⁶
CA	390	375	390	--	48 H ^{1,2}	30 D ^{1,2}	--	10 D ²	-- ²	--	S-30 D	R-3 Y
CO	--	--	--	5 D ³¹	7 D	7 D	(48 H) ¹⁸	(60 H) ¹⁸	(60 H) ¹⁸	--	R-1 Y ⁴⁷	R-2 Y ⁴⁷
CT	--	--	--	48 CH	10 D	120 D	100 H	--	--	-- ⁴²	-- ⁴²	-- ⁴²
DE	--	--	--	--	60 D ³⁴	3 CM ³⁴	--	--	--	-- ³⁵	R-6 M ³⁵	R-6 M
DC	--	--	--	--	--	--	--	--	--	R-6 M	R-1 Y	R-2 Y
FL	--	--	--	--	10 D ¹⁰	30 D ¹⁰	(50 H) ¹⁸	--	--	--	R-12 M	R-24 M

G A	300	600	1,000	(24 H) ⁵²	48 H	10 D	40 H	80 H	20 D	-- ⁵³	S-120 D ⁵³	R-5 Y ⁵³
HI	150 ³	500	500	48 H ³	48 CH	10 D ^{10,49}	72 H ³	100 H ⁴⁹	--	S-30 D	S-1 Y	R-1 Y
ID	--	--	--	--	10 D ¹⁰	30 D ¹⁰	--	--	--	S-30 D	S-1 Y	S-1 Y
IL	--	--	--	--	48 CH	48 CH	--	100 H	30 D	--	--	--
IN	--	--	--	--	5 D ⁴	5 D ⁴	--	10 D	10 D	S-30 D	S-1 Y	S-1 Y
IA	1,000 ⁶	1,500	2,500	48 H ⁵⁴	7 D ⁷	30 D	--	--	--	R-30 dys ³⁰	R-1 Y	R-1 Y
KS	--	500	--	48 CH	48 CH ³⁶	48 CH ³⁶	100 H	--	--	S-30 D	S-1 Y	S-1 Y
K Y	200 ³	--	--	48 H ³	7 D	30 D	48 H ³	--	--	S-30 D	R-12 M	R-24 M
LA	--	--	--	2 D ²³	15 D ²³	6 M ²³	4 D	30 D	--	--	-- ⁴¹	-- ⁴¹

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(continued)

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	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd
ME	400	600	1,000	48 H ¹⁷	7 D	30 D	--	--	--	S-60 D ²⁴	S-18 M ²⁴	S-4 Y ²⁴
MD ^Y	--	--	--	--	48 CH	48 CH	--	80 H	80 H	--	--	--
MA	--	--	--	--	30 D ^{8,25}	150 D ^{8,25}	--	--	--	S-45 D	R-6 M	R-2 Y
MI	100 ³²	200 ³²	500 ³²	--	48 CH	1 Y	--	--	--	--	R-1 Y	S-5 Y
MN	140	600	600 ³²	--	48 CH ³⁹	90 D ⁵⁵	--	80 H ³⁹	--	R-15 D ²⁶	R-15 D ²⁶	R-15 D ²⁶
MS	200	400	500	--	--	--	--	--	--	S-30 D	S-1 Y	S-3 Y
MO	--	--	--	--	48 CH	48 CH	--	10 D	10 D	S-30 D ²¹	R-2 Y ²¹	R-3 Y ²¹
MT	--	--	--	24 CH ⁹	3 D ^{9,10}	10 D ^{9,10}	--	--	--	--	R-3 M ²⁹	R-3 M ²⁹
NE	--	--	--	--	48 H ³⁸	7 D ³⁸	--	--	--	R-30 D ³⁸	R-6 M ³⁸	R-1 Y ³⁸

N V	200	500	2,000	2 D ¹¹	10 D ¹²	1 Y ¹³	96 H ¹¹	(100 H) ^{12&18}	--	R-45 D	R-1 Y	R-1.5 Y
N H	300	500	500	--	10 D ¹⁴	10 D ¹⁴	--	--	--	R-90 D	R-3 Y	R-3 Y
NJ	250	500	1,000	-- ¹⁵	48 CH	90 D ²⁷	--	(30 D) ¹⁸	(90 D) ¹⁸	R-6 M ²²	R-2 Y ²²	R-10 Y ²²
N M	--	500	750	--	48 CH	30 CD	--	--	--	--	R-1 Y	R-5 Y
N Y ^Z	500	1,000	1,000	--	--	--	--	--	--	--	R-1 Y	R-1 Y
NC	--	--	--	--	7 D	7 D	--	--	--	--	R-2 Y	R-3 Y
N D	250	500	1,000	--	4 D ⁴	60 D ⁴	--	10 D	--	S-30 D	S-365 D	S-2 Y
O H	200	300	500	--	5 CD ⁴⁵	15 CD ⁴⁵	--	--	--	S-15 D	S-30 D	S-180 D
O K ^X	--	--	--	--	-- ²⁸	-- ²⁸	--	-- ²⁸	-- ²⁸	--	--	--
OR	565	565	565	48 CH	48 CH	48 CH	80 H	80 H	80 H	--	S-90 D	S-1 Y

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(continued)

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	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd
PA	300 ³⁷	300 ³⁷	300 ³⁷	48 CH ⁵⁰	30 D ⁵⁰	90 D ⁵⁰	--	--	--	S-1 M ⁵	S-12 M	S-12 M ⁵
PR	--	--	--	--	24 CH	30 D	--	10 D	--	--	--	--
RI	100	400	400	--	10 D ¹⁰	6 M ¹⁰	--	--	--	S-3 M	S-1 Y	S-2 Y
SC	200	1,000	3,500	48 H ⁴³	48 H ⁴³	60 D ⁴³	48 H ⁴³	10 D ⁴³	--	--	S-1 Y	S-4 Y ⁵⁶
SD	--	--	--	--	--	--	--	--	--	R-1 Y ⁴¹	R-1 Y	
TN	350	600	1,100	48 CH	45 D ¹⁰	120 D ¹⁰	--	--	--	--	R-2 Y	R-3 Y
TX	--	--	--	--	72 H ¹⁶	10 D ¹⁶	--	--	--	--	--	--
UT	700	800	1,000 ⁵	48 CH	240 CH	720 D	24 H	80 H	240 H	S-180 D	R-2 Y	R-2 Y
VT	--	--	--	--	48 CH	--	--	--	--	S-90 D	S-18 M	R-2 Y
VA	--	--	--	--	48 H	30 D	--	--	--	R-2 Y ²⁴	R-3 Y	

W A	350 ⁴	500 ⁴	1,000 ⁴	24 CH ⁴	30 D ⁴	90 D ⁴	--	--	--	S-30 D ⁴	R-1 Y ⁴	R-2 Y ⁴
W V	100 ¹⁹	1,000 ¹	3,000 ¹	24 H ¹⁹	6 M ¹⁹	1 Y ¹⁹	--	--	--	R-30 D ⁴⁰	R-1 Y ⁴⁰	R-1 Y ⁴⁰
WI	150	300	600	--	5 D	30 D	--	--	--	R-60 D	R-90 D	
W Y	--	--	--	--	7 D	7 D	--	--	--	S-1 Y	R-3 Y	
T O T A L S	27	28	26	18	47	46	10	15	7	S-18 R-9	S-16 R-28	S-12 R-32

^xMandatory sanctions for the offenses of driving while under the influence and illegal per se.
Hour(s), D=Day(s), M=Month(s), Y=Years(s), S=Suspension, R=Revocation

C=Consecutive, H=

^yMandatory sanctions for the offense of driving while intoxicated.

Important. A blank space

in this table does not mean that a State does not have a sanction. It only means

that a State does not have

^zMandatory sanctions for the offenses of driving while intoxicated and illegal per se.
a mandatory sanction.

SUMMARY TABLE 2 - MANDATORY SANCTIONS (continued)

¹The 48 hours (2nd off) and 30 days (3rd off) are not necessarily served consecutively. The sanctions listed are for non-injury offenses.

²48 consecutive hours of imprisonment or 10 days of community service became mandatory when the Dept. of Motor Vehicles certified that an application for 23 USC §408 grant funds has been submitted to the U.S. Dept. of Transportation.

³The court must sentence defendants to at least one of these sanctions but may sentence them to more than one such sanction.

⁴Where the offender's alcohol concentration was <0.15.

⁵For a 1st off, 1 mo mand susp if defendant is accepted into the Accelerated Rehabilitation Disposition program. For a 3rd off, revocation could be 5 yrs under the habitual offender law.

⁶The fine is reduced to \$500 if there was neither an injury nor property damage associated with the offense. Also, an offender may perform community service in lieu of the mandatory fine.

⁷This sentence must be served in 48 hr segments.

⁸This sanction may be served in a residential treatment facility.

⁹This sanction only applies to driving while under the influence offenses.

¹⁰Must serve 48 consecutive hours.

¹¹One day of imprisonment or 48 hrs of community service if 1 yr rehabilitation is taken.

¹²48 hours must be served consecutively. However, if the defendant agrees to participate in a 1 yr treatment program, the mand jail term is 5 dys with 50 hrs of mand community service.

¹³48 hours must be served consecutively.

¹⁴Three (3) consecutive 24 hour periods in a house of correction and seven (7) consecutive 24 hour periods in a DWI detention center.

¹⁵Mandatory treatment of not less than 12 nor more than 48

²⁹This revocation may not be mandatory if the defendant meets certain eligibility requirements for and does participate in a driver rehabilitation or improvement program.

³⁰90 dys mandatory if the defendant has refused to submit to a chemical test under the implied consent law.

³¹Applies only to a 1st illegal per se conviction.

³²Possible

³³Followed by a period of "house arrest" with electronic monitoring.

³⁴"House arrest" may be possible in lieu of a jail sentence.

³⁵3 months with participation in the ignition interlock program.

³⁶Followed by work release for 3 dys for a 2nd off and 88 dys for a 3rd off.

³⁷Plus the following mandatory surcharges: 1st off-\$50; 2nd off-\$100; and, 3rd off-\$200.

³⁸The mandatory sanctions given are based upon a person receiving probation.

³⁹The usually mandatory period is 30 days imprisonment with 48 consecutive hours. However, based on mitigating circumstances, the court may sentence a person without regard to this mandatory sanction. Nevertheless, the court must still impose either 48 consecutive hours of imprisonment or 80 hours of community service.

⁴⁰Applies only to DWI offenses that are not related to injury or death and provided the person participates in the ignition interlock program.

⁴¹There is no mandatory licensing action if the offender is placed on probation and is allowed to participate in the ignition interlock program.

⁴²License suspension is not mandatory in all situations. A "special permit" may be issued in cases of "significant hardship".